

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

DAVID SIMCHO,

Defendant.

No. CR 06-00542 MHP

**ORDER**

**Re: Defendant's Motion for  
Reconsideration**

On April 11, 2007 the court issued an order disqualifying attorney Joe Alfred Izen, Jr. as counsel for the defendant in this matter. Defendant subsequently filed a motion for reconsideration of the disqualification order. The court declines to reconsider its previous ruling. The court held two hearings on this matter, including taking defendant's statement *in camera*. It further conducted an independent review of the memoranda associated with fifteen interviews of potential witnesses; it did not merely rely on the summaries of those interviews provided by the government. The court's independent and thorough review of the applicable law and relevant evidence convince it that reconsideration of the prior order is unnecessary.

Accordingly, defendant's motion for reconsideration is DENIED.

IT IS SO ORDERED.

Dated: May 10, 2007

  
MARILYN HALL PATEL  
United States District Court Judge  
Northern District of California